IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH, JAIPUR

S.B.CIVIL WRIT PETITION NO.497/1999.

Gopal Lal. **VERSUS** District Judge, Kota & Anr.

15.09.2006.

HON'BLE MR.JUSTICE DALIP SINGH

Mr.Arvind Bhardwaj, for the petitioner.
Mr.B.K.Sharma, Deputy Government Advocate.

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Notice was issued to the respondents and in pursuance of which learned Deputy Government Advocate had put in appearance.

Heard learned counsel for the parties.

It was contended on behalf of the petitioner that the property in question was gifted by the deceased Smt.Ramkalyani by means of a registered gift-deed dated 17.09.1958 in favour of the petitioner and since the petitioner was not in Kota at the relevant time when the inquiry was held and had gone out, thus the facts could not be brought to the notice of the authority before whom the proceedings under the Escheat Act were taking place.

Having heard learned counsel for the parties.

I am inclined to set aside the impugned order having gone through the same as the petitioner was not afforded a reasonable opportunity of being heard. The petitioner is directed to appear before the Collector, Kota and who shall pass orders in accordance with law and after affording an opportunity to the petitioner of being heard and taking evidence which the petitioner wishes to produce in the matter. The petitioner is directed to appear before the Collector, Kota along with certified copy of this order on

06.11.2006.

The writ petition as well as the stay application stand disposed of.

(DALIP SINGH),J.

Solanki DS, Jr.P.A.